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Patent applicant:

Christopher Van Michaels,
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Industrial Chemist)
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(Address in Bulgaria: Bulv.
PATRIARCH EFTIMIY No 36.
entrance 2, app.17;
BULGARIA, SOFIA 1000.
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e mail: vanmichaels @ operamail. com

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**Petition to Withdraw Holding of Abandonment Based on
Failure To Receive Office Action**

To the Att. of Pr. Examiner John Kreck and

~~To the PETITION OFFICE of USPTO~~ Fax No 001-571-273-8300

Dear Mr. Kreck, *Gentlemen*,

following the advice of your letter from Dec. 08/2005 regarding this "Petition to Withdraw..." I contacted the "Inventors Assistance Center" of the Patent Office and have been told that there is NO FEES on "Pet. to Withdraw Holding of Abandonment on Failure To Receive Office Action"; also that there is no special Office Form for such Petition and that I shall sent the petition to you for solving this vexing problem (of unfair abandonment).

Since you advised me, on the other hand, to send my petition to the PETITION OFFICE of the USPTO, I am sending a copy of this document also to that Office INCLUDING my herein enclosed Declaration in support of the Petition.

So fare, I did not replied your Office Paper from 11 April 2005 because, I NEVER RECEIVED IT. Since last 2004 year I am living in the Capital of Bulgaria -SOFIA- however, my above displayed American Address is still good because, that is the house of my son Julian Michaels, who is the owner of the house. My son is always e-mailing me all letters sent to me on said address. Julian told me that he never received your Office Action from

PAGE 2 OF 2

11 April 2005. Obviously, being my son, Julien has no reason to hide any my mail^{of} from me.

Accordingly, I beg your help TO WITHDRAW THE HOLDING OF THE ABANDONMENT OF MY PATENT APPLICATION, ON GROUND OF FAILURE TO RECEIVE YOUR OFFICE ACTION.

To help you doing that I am hereby enclosing also a DECLARATION in SUPPORT of my Petition to Withdraw the (unfair) Office Abandonment of my invention.

I wonder why the patenting of my invention is for so long time protracted, while both my "PETITION TO MAKE SPECIAL" [MPEP §708.02; 37CFR 1.102] and my Request Under MPEP §707.07(j)] were honored. I believe that you are aware that there is no provision for "Withdrawal" of said special status and also that in accordance with 35 U.S.C. 103 Patentability shall not be negated by the manner in which the invention was made.

It is Fear to note however that you never intended such negation; hense, I rather expected a "NOTICE of ALLOWANCE" than a "NOTICE OF (OFFICE) ABANDONMENT" of my above very valuable Patent Application.

WHEREFORE,

I believe that am now correctly requesting you TO WITHDRAW THE HOLDING OF ABANDONMENT OF MY ABOVE IDENTIFIED INVENTION, BASED ON FAILURE TO RECEIVE the OFFICE PAPER from said 11 April 2005.

Dated 19 December 2005 in SOFIA, BULGARIA.

PETITIONER:



/Christopher, Van Michaels/

ATTACHMENT: (1) said DECLARATION IN SUPPORT OF THE PETITION.

(2) Your letter from December 08-2005

All sent to the USPTO by EXPRESS MAIL

Patent applicant:

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Pat. Application No 10/620,870; Filing Date: 07/15/2003

Art Unit 3673

Pr. Examiner: JOHN KRECK

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**DECLARATION IN SUPPORT OF
"Petition To Withdraw Holding of Abandonment Based
on Failure To Receive Office Action"**

I, Christopher Van Michaels, aka van Michaels, inventor of the above identified Patent Application titled 'CLEAN PROCESS OF PROCESSES FOR MANUFACTURING OF NON CARCINOGENOUS, ZERO POLLUTING ECO FUELS FROM GAS HYDRATES, NOT EXHAUSTING EVEN CO₂ TO FACE THE MENACING GREEN HOUSING EFFECT', do hereby Declare under penalty of perjury that since 2004 I moved to the Capital of Bulgaria, SOFIA; however, my above stated AMERICAN ADDRESS, in Alhambra California, is still good because, that is also the Address of my son JULIEN MICHAELS -who is the owner of the house- and that Julien is always promptly E-mailing me whatever letter is addressed to me, delivered to his home. Evidence for that is the enclosed last Office paper (of Primary Examiner JOHN KRECK). Evidently, being my son, Julien has no reason to hide any Patent Office's mail from me; and

Consequently, I never answered said Office Action BECAUSE, I NEVER RECEIVED IT. Moreover, up to this day I do not have any idea concerning its content.

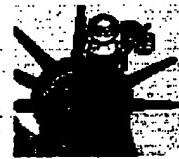
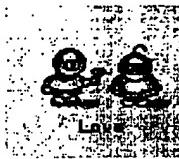
WHEREFORE, I request this Declaration of my to be honored in deciding my "Petition to Withdraw Holding of Abandonment" of my Patent Application, Based on Failure to Receive Office Action"

Dated 19 Dec. 2005 in Sofia, Bulgaria.

DECLARANT:

/Christopher van Michaels/

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Title of the invention: Clean process of producing non carcinogenous, zero pollution bio fuels from carbohydrates, methanotrophic microorganisms
FW: PATENT APPLICATION CHRISTOPHER VAN MICHAELS To file, to cancel and the menacing "green house effect".

From: "Julien Michaels" <jmichaels@earthlink.net> [Save address | Block sender | This is Spam]

To: dm-c@operamail.com

Cc:

Subject: FW: Patent application Christopher van Michaels

Date: Thu, 8 Dec 2005 12:05:42 -0500 (EST)

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> Subject: Patent application Christopher van Michaels
> Date: 12/8/2005 7:24:45 AM
> From: Kreck, John <John.Kreck@USPTO.GOV> Tel. 571-272-7042 //
> To: jmichaels@earthlink.com
> Mr. van Michaels
>
> I am sending a letter by mail this week regarding your patent
> application. I am not permitted to discuss the specifics of the
> application by e-mail; and I am not permitted to discuss the
> specifics of the application with anyone other than the inventor or
> his attorney.
>
> I would like to provide you with this general information:
>
> 1. When the Patent Office mails an Office Action, the inventor is
> given a period to reply (3 months) from the date of mailing of that
> office action. The law requires that the inventor file his reply
> within that period. If no reply is received at the Patent Office,
> the application becomes Abandoned---regardless or whether the
> inventor actually receives that Office Action.
>
> 2. An inventor may file a petition to "Petition To Withdraw
> Holding of Abandonment Based on Failure To Receive Office Action"
> or a petition to "Revive" the application. These petitions may
> require you to submit special forms, statements from the inventor,
> and fees. Petitions are processed by the Petitions Office, their
> phone number is 571-272-3282. 3. The Inventors Assistance Center
> will answer questions for inventors who do not have attorneys: it
> is strongly suggested that you contact them at 1-800-786-9199 the
> Inventors Assistance Center does not charge any fee for
> information. Your relatives may also contact the assistance
> center for general information on how to file a petition and what
> the current petition fees are. Your relatives may not contact the
> Patent Office to discuss specific details of your application.
>
> 4. You may contact me at 571-272-7042, for other questions
> regarding the application. For petition questions, it is best to
> call the Inventors assistance Center or the Petitions Office. //

>
>
> John Kreck
>

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Inventor's Assistant
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/Christopher, Van Michaels/

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